

Application No. 10/761,670

REMARKS/ARGUMENTS

Please note that NO claim or specification amendments are sought in this Rule 116 amendment.* The *single* claim (1) of this application had already been extensively narrowed in response to the *first* office action. The undersigned considered that those claim amendments were so extensive as to clearly distinguish the cited combination of references without need for extensive discussions. However, apparently, the extent to which those narrowing amendments clearly distinguish over the combination of references used for that new, second, claim rejection (both individually and as combined) does not seem to have been fully appreciated, and thus reconsideration by the Examiner is respectfully requested based on the following further explanation.*

The two cited combined references are U.S. Patent No. 3,804,401 to Stange and U.S. Patent No. 3,981,085 to Franko. There is no suggestion in either of these two references, or any suggestion to combine, to provide a single sheet stripping member with a single common internal pneumatic path extending through the interior of the stripper member out towards its stripping end, which single common internal pneumatic path then splits into two separate diverging internal pneumatic paths which then open out on two opposite sides of the same stripper, near the surface to be stripped, to provide two completely different functions from the same pneumatic source and same internal pneumatic path.

As specifically stated in the previously amended claim 1, with partial italicizing for emphasis:

1. In a printer with a roll fuser having at least one rotating roll surface, in which roll fuser a flimsy sheet being printed is fused by moving through said roll fuser lead edge first, engaging said at least one roll, a stripping apparatus is provided for assisting the stripping of said flimsy sheet from said at least one roll of said roll fuser, said stripping apparatus having at least one stripper finger with an extending stripping edge which is positionable to engage under said leading edge of said sheet on said at least one roll of said roll fuser to lift said leading edge of

* In that respect, it is noted that Rule 116 provides that even "An amendment touching the merits of the application or patent under reexamination may be admitted upon a showing of good and sufficient reasons why the amendment is necessary and was not earlier presented." But no amendment at all is being made here.

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said flimsy sheet away from said at least one roll, further including a pneumatic system for blowing air under said leading edge of said flimsy sheet to lift said leading edge of said flimsy sheet in cooperation with said stripper finger stripping edge lifting of said leading edge of said flimsy sheet wherein said pneumatic system for blowing air under said leading edge of said sheet includes an *airflow path in said stripper finger extending towards said stripping edge and opening upwardly closely adjacent to said stripping edge for blowing air under said leading edge of said sheet closely adjacent to said stripping edge sufficiently to additionally lift said leading edge of said sheet in an increased radius in cooperation with said stripper finger stripping edge lifting of said leading edge of said sheet, and wherein said airflow path in said stripper finger further includes a downwardly directed opening in said stripper finger closely adjacent to said stripping edge between said stripper finger and said at least one roll of said roll fuser to provide an air bearing between said stripper finger and said at least one roll of said roll fuser for reducing the contact force therebetween.*

It is respectfully noted that the USPTO Director, Under Secretary Dudas, has recently announced in the "PTO News" and on the PTO website

"...that the USPTO will begin a program this year that allows applicants to request an appeal conference and learn the results before having to file an appeal brief." Currently, when applicants appeal rejections to the Board of Patent Appeals and Interferences (BPAI), they must file a Notice of Appeal and an appeal brief. The next step is an appeal conference. Statistics demonstrate that appeal conferences result in approximately 60% of cases being returned to the patent corps. Dudas explained this important process reform, noting, "By eliminating a major processing cost now associated with appeal conferences, we are implementing the President's Management Agenda mandate that government be citizen-centered and results oriented."

It is hoped that reconsideration via this 116 response will avoid having to utilize the above new PTO procedure, and thus save time for both the Examiner and the Applicant.

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No additional fee is believed to be required for this amendment. However, the undersigned Xerox Corporation attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

A telephone interview is respectfully requested at the number listed below prior to any further Office Action, i.e., if the Examiner has any remaining questions or issues to address after this paper. The undersigned will be happy to discuss any further Examiner-proposed amendments as may be appropriate.

Respectfully submitted,



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